

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

DENNIS MONTGOMERY and the  
MONTGOMERY FAMILY TRUST,

Plaintiffs,

vs.

ETREPPID TECHNOLOGIES, LLC, WARREN  
TREPP, and the UNITED STATES  
DEPARTMENT OF DEFENSE,

Defendants.

AND RELATED CASES.

) Case No. 3:06-CV-00056-PMP-VPC  
) BASE FILE

) (Case No. 3:06-CV-00145-PMP-VPC)

) **[PROPOSED] ORDER ENFORCING  
RIGHT TO INSPECTION OF RECORDS**

1 The Court has read and considered all papers supporting and opposing Plaintiffs' Motion to  
2 Enforce Right to Inspection of Records and considered the argument of counsel. Good cause  
3 appearing therefor, the Motion is GRANTED.

4 Defendants eTreppid Technologies, LLC ("eTreppid" or the "Company") and Warren  
5 Trepp, and all those acting in concert and participation with them, or any of them, are hereby  
6 ORDERED to make available within three business days for inspection and copying by Plaintiffs  
7 all of the Company's financial and organizational books and records, including but not limited to  
8 the Company's financial statements; its tax returns; all contracts between eTreppid and any other  
9 person or entity; the Company's organizational documents, including but not limited to all versions  
10 of its Operating Agreement, its Articles of Organization, its Bylaws, all meeting minutes, any buy-  
11 sell agreements between and among any members, and a list of its members and their addresses;  
12 the Company's accounts payable records, purchase invoices, and receipts; all credit card bills and  
13 statements; accounts receivable records, purchase orders, sales invoices, and receipts; bank  
14 statements and cancelled checks; wire transfers and wire transfer authorizations; all fixed asset  
15 records; the Company's accounting ledgers, including but not limited to its general ledger and any  
16 subsidiary ledgers such as its daily transaction journals and records (including those recorded on  
17 the Zenith computer system), cash receipts ledger, cash disbursements ledger, sales ledger,  
18 accounts receivable ledger, or accounts payable ledger, and general journals containing all  
19 accounting entries; the Company's leases; the Company's payroll records; all debt or loan  
20 agreements; any other transactions and agreements, including those with insiders; all records of any  
21 capital distribution, guaranteed payments, compensation, payment, or distribution of any kind to  
22 any officer or member of eTreppid; its attorney bills; the Company's correspondence, including but  
23 not limited to e-mails, letters, memoranda, faxes, reports, and notes; all other back-up material that  
24 supports the Company's financial records; and all work product used to produce the Company's  
25 yearly financial statements, including its ledgers and trial balances.

26 IT IS FURTHER ORDERED that any documents that are maintained in electronic form  
27 shall be made available pursuant to this Order in their native electronic format.  
28

1 IT IS FURTHER ORDERED that eTreppid shall be entitled to designate any such books  
2 and records as "Confidential" pursuant to the Protective Order entered on September 11, 2007,  
3 without prejudice to any party's right to challenge any such designation in accordance with the  
4 September 11, 2007, Protective Order.

5 IT IS SO ORDERED.

6 Dated:

\_\_\_\_\_  
Hon. Valerie P. Cooke  
United States Magistrate Judge

8 Presented by:

9 GUNDERSON LAW FIRM  
10 LINER YANKELEVITZ  
11 SUNSHINE & REGENSTREIF LLP

12 By: \_\_\_\_\_

13 Deborah A. Klar  
Attorneys for Plaintiffs  
14 DENNIS MONTGOMERY, and the  
15 MONTGOMERY FAMILY TRUST

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of the LAW OFFICES OF LINER YANKELEVITZ SUNSHINE & REGENSTREIF LLP, and that on the **5th day of November, 2007**, I caused to be served the within document described as **[PROPOSED] ORDER ENFORCING RIGHT TO INSPECTION OF RECORDS** on the interested parties in this action as stated below:

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☒ **[ELECTRONIC]** By filing the document(s) electronically with the U.S. District Court and therefore the court's computer system has electronically delivered a copy of the foregoing document(s) to the persons listed above at their respective email address.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct. Executed on 11/5/2007, at Los Angeles, California.

  
 NANCY TORRECILLAS

PROOF OF SERVICE